

OUTGOING AIRGRAM

DEPARTMENT OF STATE DIVISION OF COMMUNICATIONS AND RECORDS TELEGRAPH BRANCH

83
ORIGIN
E
INFO
L
FE
DCI
REP
VD
OLI
CIA
DCR

RESTRICTED SECURITY INFORMATION

A. EMBASSY
A-33 July 15, 1952
TOKYO

SUBJECT: FCN Treaty. Suggested new material for inclusion in Articles II & IV.

1607

Attorney 3/19/82

COMM

BIS

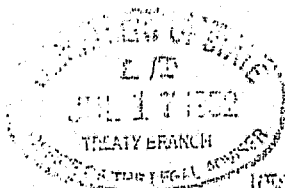
There are set out below two new provisions which the Department requests be added to the treaty, if the Japanese concur. The Department would be pleased if the treaty with Japan were the first to contain them and trusts that the Japanese will be of a like mind. Neither was provoked by anything peculiar to the Japanese situation. Rather both provisions will be part of the Department's "standard" draft in the future, for use in negotiations with other countries generally. Although they have been under consideration for some time, they have only now become sufficiently crystallized to enable them to be broached. The Department hopes that they will be the last new substantive materials that the Embassy will be asked to introduce.

(1) Pursuant to authorization granted in section 101 (a) (15) E (ii) of the so-called omnibus immigration act, now finally enacted into law, the Department offers the following new clause for insertion in Article II, paragraph 1:

"for the purpose of developing and directing the operations of an enterprise in which they have invested, or in which they are actively in the process of investing, a substantial amount of capital;"

This would be placed immediately following clause (a). It would be labeled "(b)" and present clause (b) would become "(c)".

With this clause, the treaty, in addition to providing for "treaty traders", would provide for the non-quota entry of what might be termed "treaty investors" and for their indefinite sojourn so long as they remain in status.



RESTRICTED SECURITY INFORMATION.